

MINUTES
New Holland Borough Authority
January 17, 2017

The New Holland Borough Authority met on Tuesday, January 17, 2017 at 8:30 a.m. in Borough Hall. Members present were: Jacob W. Musser, Jack E. Schnader, M. Timothy Bender and Robert P. Johnson. Member Ernest M. Orr was absent. Others in attendance included Authority Solicitor Bradford J. Harris, Authority Manager/Recording Secretary J. Richard Fulcher, Borough Water Department Supervisor Clete Stone and Borough and Authority water consultant Jeff Bologna of Becker Engineering.

Member Jacob Musser asked Authority Manager/Recording Secretary Fulcher to call for election of Chairman for 2017.

Manager Fulcher asked for nominations for the office of Authority Chairman for 2017.

Timothy Bender nominated Jacob Musser for Chairman for 2017. Jack Schnader seconded the nomination. No other nominations were received. Jacob Musser was then elected Chairman for 2017.

Chairman Musser asked for nominations for the other officers of the Authority for 2017.

Timothy Bender nominated the 2016 officers of Vice-Chairman Timothy Bender; Secretary Robert Johnson; Treasurer Jack Schnader; and Assistant Secretary/Treasurer Ernest Orr to serve for 2017. Robert Johnson seconded the nominations. There were no other nominations. The officers other than Chairman were then elected for 2017.

Robert Johnson made the motion that the Authority's regular meeting days and times be set as the quarterly months of January, April, July and October, at 8:30 a.m. This was seconded by Tim Bender and passed.

Tim Bender made the motion that the firm of Good and Harris be appointed as the Authority Solicitor for 2017. This was seconded by Jack Schnader and passed.

Tim Bender made the motion that the firm of Becker Engineering be appointed as the Authority's water engineer and the firm of Buchart-Horn be appointed as the

Authority's wastewater engineer, for 2017. This was seconded by Robert Johnson and passed.

Tim Bender made the motion that the firm Weinhold, Nickel and Company be appointed as the Authority's auditor for 2017. This was seconded by Robert Johnson and passed.

There being no further Organizational business, the meeting convened into Regular business session.

Chairman Musser then asked for action on the Minutes of the Authority's meeting of October 18, 2016.

Jack Schnader made the motion that the Minutes of the Authority's previous meeting of October 18, 2016, be approved as distributed. This was seconded by Robert Johnson and passed.

Auditor Pat Carr of Weinhold, Nickel and Company reviewed the 2015 Audit of the Authority with the members. He noted that though he is reporting to the Authority later than normal due to some unusual situations and delays in their office last year, he hopes to be back on the regular schedule again this year. All Audit reporting requirements to the various agencies also were filed properly. He then reviewed the numerous pages of figures and footnotes in the Audit. In response to a question from member Bender, Mr. Carr stated that the transfer amount from the Borough to the Authority of wastewater funds appeared to be related to the relocation of the wastewater lines involved with the initial project of having the wastewater and water lines installed as needed for the planned new well at Groff Park. It also appears to have been partially carried over to the 2016 cycle. The Audit was classified as an "Unmodified" opinion, which is the cleanest rating of an audit. There were no instances of fraud, theft or other irregularities found.

Tim Bender made the motion that the 2015 Audit report as prepared by Weinhold, Nickel and Company, be accepted. This was seconded by Jack Schnader and passed.

Solicitor Harris reported on the status of the negotiations with Crown Castle ATT and the elements related to the extension of the lease on the ATT tower, which is on the Authority's wastewater plant property. They have agreed to the Authority's concern related to the right of requesting another survey of the site. They still request their right to sublease the site to an affiliated party. He noted they would

still have to inform the Borough and the new party would be reported to be liable for all obligations involved. Affiliates of Crown Castle could change over the years but the requirements would not.

After brief further discussion, Tim Bender made the motion that the Agreement be approved upon final review of the Solicitor, Chairman and Manager, accepting the request of Crown Castle to allow subleasing to affiliates of Crown Castle (CCAAT, LLC); and the officers so authorized to sign. This was seconded by Robert Johnson and passed.

Solicitor Harris next reported that T-Mobile has requested a Lease Renewal for five more five year periods, with a proposed 30 day notice of cancellation. Their initial offer of monthly payment is \$1,900 per month and the taxes; with a 10 percent increase projected for each five year renewal period. There is also a Memorandum of Lease Amendment requested which basically identifies the changes made to the updated Lease.

The members felt that a longer notice of termination should be provided, such as 90 days and that \$1,900 per month starting is too low. This should be more in line with not less than \$2,200 per month.

Tim Bender then made the motion that upon further negotiations by the Solicitor to finalize these items as discussed and the review of the Chairman and Manager, the Lease Agreement amendments be approved and the officers so authorized to sign. This was seconded by Robert Johnson and passed.

Water consultant Bologna reported that we have not received final authorization from the Susquehanna River Basin Commission to proceed with the next step in the new Groff well process, which is the formal Aquifer testing process and report. He has been in discussion with them and they have indicated they have not found any issues with the Plan submitted, however the final approval to proceed has not been issued yet. He and his firm have the Plan elements ready to go as soon as the SRBC approval is received. There are three nearby private wells planned to be utilized for the draw-down testing. The two important ones are an old, unused one just to the west of Groff Park, on the Charles Miller property. The second important one is to the north on the farm of Abner Beiler. The Beilers are the persons the Borough bought the needed extra area of land to the north of Groff Park from. A third well is to the northeast on the Burkholder property. The Beiler's existing well is small, not too deep and in need of replacement. He recommends the Authority consider some type of partial reimbursement to the

Beilers towards the cost of a new well, which would be approximately \$3,200 not including the pump and other mechanics. The Beilers existing well could cause equipment problems if the Authority tried to use it. In a related matter, they are working to have Well 2 Waivered from initial Permit requirements, as again due to the good long term record keeping of Water Department Supervisor Stone the long term drawdown information is on record. A Waiver was granted for Well 1 for the same reason. As the members may recall, Well 2 has to be recognized as a Permitted well before the new well can go into production. If approval is granted by the SRBC prior to the next Authority meeting, he will proceed as discussed with the Aquifer testing steps.

Robert Johnson then made the motion that the Authority provide \$1,000 reimbursement to Abner Beiler towards the cost of installing a new well on his property. This was seconded by Tim Bender and passed.

Jack Schnader made the motion that the bills be paid as prepared. This was seconded by Robert Johnson and passed. The bill payments were:

Good & Harris	\$646.00
Crown Castle	Ck#1468
Becker Engineering	\$1,795.00
East Water Tank, Attend Authority meeting	Ck#1469
Good & Harris	\$238.00
Verizon Wireless and Misc.	Ck#1470
Classified Accounts Section	\$299.80
Advertisement for Authority Report	Ck#1471
NH Water Authority	\$646.00
Reimb. Water Fund for Crown Castle check	Ck#467

There being no further business or public comment, the meeting adjourned at 9:32 a.m.

April 18, 2017
Date Approved